



General Assembly

February Session, 2010

Raised Bill No. 321

LCO No. 1479

01479_____HSG

Referred to Committee on Housing

Introduced by:
(HSG)

***AN ACT CONCERNING THE STATE'S CONSOLIDATED PLAN FOR
HOUSING AND COMMUNITY DEVELOPMENT.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 8-2 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2010*):

4 (a) The zoning commission of each city, town or borough is
5 authorized to regulate, within the limits of such municipality, the
6 height, number of stories and size of buildings and other structures;
7 the percentage of the area of the lot that may be occupied; the size of
8 yards, courts and other open spaces; the density of population and the
9 location and use of buildings, structures and land for trade, industry,
10 residence or other purposes, including water-dependent uses as
11 defined in section 22a-93, and the height, size and location of
12 advertising signs and billboards. Such bulk regulations may allow for
13 cluster development as defined in section 8-18. Such zoning
14 commission may divide the municipality into districts of such number,
15 shape and area as may be best suited to carry out the purposes of this
16 chapter; and, within such districts, it may regulate the erection,
17 construction, reconstruction, alteration or use of buildings or

18 structures and the use of land. All such regulations shall be uniform
19 for each class or kind of buildings, structures or use of land throughout
20 each district, but the regulations in one district may differ from those
21 in another district, and may provide that certain classes or kinds of
22 buildings, structures or uses of land are permitted only after obtaining
23 a special permit or special exception from a zoning commission,
24 planning commission, combined planning and zoning commission or
25 zoning board of appeals, whichever commission or board the
26 regulations may, notwithstanding any special act to the contrary,
27 designate, subject to standards set forth in the regulations and to
28 conditions necessary to protect the public health, safety, convenience
29 and property values. Such regulations shall be made in accordance
30 with a comprehensive plan and in adopting such regulations the
31 commission shall consider the plan of conservation and development
32 prepared under section 8-23, as amended by this act. Such regulations
33 shall be designed to lessen congestion in the streets; to secure safety
34 from fire, panic, flood and other dangers; to promote health and the
35 general welfare; to provide adequate light and air; to prevent the
36 overcrowding of land; to avoid undue concentration of population and
37 to facilitate the adequate provision for transportation, water, sewerage,
38 schools, parks and other public requirements. Such regulations shall be
39 made with reasonable consideration as to the character of the district
40 and its peculiar suitability for particular uses and with a view to
41 conserving the value of buildings and encouraging the most
42 appropriate use of land throughout such municipality. Such
43 regulations may, to the extent consistent with soil types, terrain,
44 infrastructure capacity and the plan of conservation and development
45 for the community, provide for cluster development, as defined in
46 section 8-18, in residential zones. Such regulations shall also encourage
47 the development of housing opportunities, including opportunities for
48 multifamily dwellings, consistent with soil types, terrain and
49 infrastructure capacity, for all residents of the municipality and the
50 planning region in which the municipality is located, as designated by
51 the Secretary of the Office of Policy and Management under section

52 16a-4a. Such regulations shall also promote housing choice and
53 economic diversity in housing, including housing for both low and
54 moderate income households, and shall encourage the development of
55 housing which will meet the housing needs identified in the [housing
56 plan prepared pursuant to section 8-37t] state's consolidated plan for
57 housing and community development, prepared pursuant to 24 CFR
58 Part 91, as amended from time to time, and in the housing component
59 and the other components of the state plan of conservation and
60 development prepared pursuant to section 16a-26. Zoning regulations
61 shall be made with reasonable consideration for their impact on
62 agriculture. Zoning regulations may be made with reasonable
63 consideration for the protection of historic factors and shall be made
64 with reasonable consideration for the protection of existing and
65 potential public surface and ground drinking water supplies. On and
66 after July 1, 1985, the regulations shall provide that proper provision
67 be made for soil erosion and sediment control pursuant to section 22a-
68 329. Such regulations may also encourage energy-efficient patterns of
69 development, the use of solar and other renewable forms of energy,
70 and energy conservation. The regulations may also provide for
71 incentives for developers who use passive solar energy techniques, as
72 defined in subsection (b) of section 8-25, in planning a residential
73 subdivision development. The incentives may include, but not be
74 limited to, cluster development, higher density development and
75 performance standards for roads, sidewalks and underground facilities
76 in the subdivision. Such regulations may provide for a municipal
77 system for the creation of development rights and the permanent
78 transfer of such development rights, which may include a system for
79 the variance of density limits in connection with any such transfer.
80 Such regulations may also provide for notice requirements in addition
81 to those required by this chapter. Such regulations may provide for
82 conditions on operations to collect spring water or well water, as
83 defined in section 21a-150, including the time, place and manner of
84 such operations. No such regulations shall prohibit the operation of
85 any family day care home or group day care home in a residential

86 zone. Such regulations shall not impose conditions and requirements
87 on manufactured homes having as their narrowest dimension twenty-
88 two feet or more and built in accordance with federal manufactured
89 home construction and safety standards or on lots containing such
90 manufactured homes which are substantially different from conditions
91 and requirements imposed on single-family dwellings and lots
92 containing single-family dwellings. Such regulations shall not impose
93 conditions and requirements on developments to be occupied by
94 manufactured homes having as their narrowest dimension twenty-two
95 feet or more and built in accordance with federal manufactured home
96 construction and safety standards which are substantially different
97 from conditions and requirements imposed on multifamily dwellings,
98 lots containing multifamily dwellings, cluster developments or
99 planned unit developments. Such regulations shall not prohibit the
100 continuance of any nonconforming use, building or structure existing
101 at the time of the adoption of such regulations. Such regulations shall
102 not provide for the termination of any nonconforming use solely as a
103 result of nonuse for a specified period of time without regard to the
104 intent of the property owner to maintain that use. Any city, town or
105 borough which adopts the provisions of this chapter may, by vote of
106 its legislative body, exempt municipal property from the regulations
107 prescribed by the zoning commission of such city, town or borough;
108 but unless it is so voted municipal property shall be subject to such
109 regulations.

110 Sec. 2. Section 8-23 of the 2010 supplement to the general statutes, as
111 amended by section 3 of public act 07-239, section 4 of public act 07-5
112 of the June special session, section 17 of public act 08-182 and section 7
113 of public act 09-230, is repealed and the following is substituted in lieu
114 thereof (*Effective October 1, 2010*):

115 (a) (1) At least once every ten years, the commission shall prepare or
116 amend and shall adopt a plan of conservation and development for the
117 municipality. Following adoption, the commission shall regularly
118 review and maintain such plan. The commission may adopt such

119 geographical, functional or other amendments to the plan or parts of
120 the plan, in accordance with the provisions of this section, as it deems
121 necessary. The commission may, at any time, prepare, amend and
122 adopt plans for the redevelopment and improvement of districts or
123 neighborhoods which, in its judgment, contain special problems or
124 opportunities or show a trend toward lower land values.

125 (2) If a plan is not amended decennially, the chief elected official of
126 the municipality shall submit a letter to the Secretary of the Office of
127 Policy and Management and the Commissioners of Transportation,
128 Environmental Protection and Economic and Community
129 Development that explains why such plan was not amended. A copy
130 of such letter shall be included in each application by the municipality
131 for discretionary state funding submitted to any state agency.

132 (b) On and after the first day of July following the adoption of the
133 state Conservation and Development Policies Plan 2012-2017, in
134 accordance with section 16a-30, a municipality that fails to comply
135 with the requirements of subsection (a) of this section shall be
136 ineligible for discretionary state funding unless such prohibition is
137 expressly waived by the secretary.

138 (c) In the preparation of such plan, the commission may appoint one
139 or more special committees to develop and make recommendations for
140 the plan. The membership of any special committee may include:
141 Residents of the municipality and representatives of local boards
142 dealing with zoning, inland wetlands, conservation, recreation,
143 education, public works, finance, redevelopment, general government
144 and other municipal functions. In performing its duties under this
145 section, the commission or any special committee may accept
146 information from any source or solicit input from any organization or
147 individual. The commission or any special committee may hold public
148 informational meetings or organize other activities to inform residents
149 about the process of preparing the plan.

150 (d) In preparing such plan, the commission or any special

151 committee shall consider the following: (1) The community
152 development action plan of the municipality, if any, (2) the need for
153 affordable housing, (3) the need for protection of existing and potential
154 public surface and ground drinking water supplies, (4) the use of
155 cluster development and other development patterns to the extent
156 consistent with soil types, terrain and infrastructure capacity within
157 the municipality, (5) the state plan of conservation and development
158 adopted pursuant to chapter 297, (6) the regional plan of conservation
159 and development adopted pursuant to section 8-35a, (7) physical,
160 social, economic and governmental conditions and trends, (8) the
161 needs of the municipality including, but not limited to, human
162 resources, education, health, housing, recreation, social services, public
163 utilities, public protection, transportation and circulation and cultural
164 and interpersonal communications, (9) the objectives of energy-
165 efficient patterns of development, the use of solar and other renewable
166 forms of energy and energy conservation, and (10) protection and
167 preservation of agriculture.

168 (e) (1) Such plan of conservation and development shall (A) be a
169 statement of policies, goals and standards for the physical and
170 economic development of the municipality, (B) provide for a system of
171 principal thoroughfares, parkways, bridges, streets, sidewalks,
172 multipurpose trails and other public ways as appropriate, (C) be
173 designed to promote, with the greatest efficiency and economy, the
174 coordinated development of the municipality and the general welfare
175 and prosperity of its people and identify areas where it is feasible and
176 prudent (i) to have compact, transit accessible, pedestrian-oriented
177 mixed use development patterns and land reuse, and (ii) to promote
178 such development patterns and land reuse, (D) recommend the most
179 desirable use of land within the municipality for residential,
180 recreational, commercial, industrial, conservation and other purposes
181 and include a map showing such proposed land uses, (E) recommend
182 the most desirable density of population in the several parts of the
183 municipality, (F) note any inconsistencies with the following growth
184 management principles: (i) Redevelopment and revitalization of

185 commercial centers and areas of mixed land uses with existing or
186 planned physical infrastructure; (ii) expansion of housing
187 opportunities and design choices to accommodate a variety of
188 household types and needs; (iii) concentration of development around
189 transportation nodes and along major transportation corridors to
190 support the viability of transportation options and land reuse; (iv)
191 conservation and restoration of the natural environment, cultural and
192 historical resources and existing farmlands; (v) protection of
193 environmental assets critical to public health and safety; and (vi)
194 integration of planning across all levels of government to address
195 issues on a local, regional and state-wide basis, (G) make provision for
196 the development of housing opportunities, including opportunities for
197 multifamily dwellings, consistent with soil types, terrain and
198 infrastructure capacity, for all residents of the municipality and the
199 planning region in which the municipality is located, as designated by
200 the Secretary of the Office of Policy and Management under section
201 16a-4a, (H) promote housing choice and economic diversity in
202 housing, including housing for both low and moderate income
203 households, and encourage the development of housing which will
204 meet the housing needs identified in the [housing plan prepared
205 pursuant to section 8-37t] state's consolidated plan for housing and
206 community development, prepared pursuant to 24 CFR Part 91, as
207 amended from time to time, and in the housing component and the
208 other components of the state plan of conservation and development
209 prepared pursuant to chapter 297. In preparing such plan the
210 commission shall consider focusing development and revitalization in
211 areas with existing or planned physical infrastructure.

212 (2) For any municipality that is contiguous to Long Island Sound,
213 such plan shall be (A) consistent with the municipal coastal program
214 requirements of sections 22a-101 to 22a-104, inclusive, (B) made with
215 reasonable consideration for restoration and protection of the
216 ecosystem and habitat of Long Island Sound, and (C) designed to
217 reduce hypoxia, pathogens, toxic contaminants and floatable debris in
218 Long Island Sound.

219 (f) Such plan may show the commission's and any special
220 committee's recommendation for (1) conservation and preservation of
221 traprock and other ridgelines, (2) airports, parks, playgrounds and
222 other public grounds, (3) the general location, relocation and
223 improvement of schools and other public buildings, (4) the general
224 location and extent of public utilities and terminals, whether publicly
225 or privately owned, for water, sewerage, light, power, transit and other
226 purposes, (5) the extent and location of public housing projects, (6)
227 programs for the implementation of the plan, including (A) a schedule,
228 (B) a budget for public capital projects, (C) a program for enactment
229 and enforcement of zoning and subdivision controls, building and
230 housing codes and safety regulations, (D) plans for implementation of
231 affordable housing, (E) plans for open space acquisition and
232 greenways protection and development, and (F) plans for corridor
233 management areas along limited access highways or rail lines,
234 designated under section 16a-27, (7) proposed priority funding areas,
235 and (8) any other recommendations as will, in the commission's or any
236 special committee's judgment, be beneficial to the municipality. The
237 plan may include any necessary and related maps, explanatory
238 material, photographs, charts or other pertinent data and information
239 relative to the past, present and future trends of the municipality.

240 (g) (1) A plan of conservation and development or any part thereof
241 or amendment thereto prepared by the commission or any special
242 committee shall be reviewed, and may be amended, by the
243 commission prior to scheduling at least one public hearing on
244 adoption.

245 (2) At least sixty-five days prior to the public hearing on adoption,
246 the commission shall submit a copy of such plan or part thereof or
247 amendment thereto for review and comment to the legislative body or,
248 in the case of a municipality for which the legislative body of the
249 municipality is a town meeting or representative town meeting, to the
250 board of selectmen. The legislative body or board of selectmen, as the
251 case may be, may hold one or more public hearings on the plan and

252 shall endorse or reject such entire plan or part thereof or amendment
253 and may submit comments and recommended changes to the
254 commission. The commission may render a decision on the plan
255 without the report of such body or board.

256 (3) At least thirty-five days prior to the public hearing on adoption,
257 the commission shall post the plan on the Internet web site of the
258 municipality, if any.

259 (4) At least sixty-five days prior to the public hearing on adoption,
260 the commission shall submit a copy of such plan or part thereof or
261 amendment thereto to the regional planning agency for review and
262 comment. The regional planning agency shall submit an advisory
263 report along with its comments to the commission at or before the
264 hearing. Such comments shall include a finding on the consistency of
265 the plan with (A) the regional plan of conservation and development,
266 adopted under section 8-35a, (B) the state plan of conservation and
267 development, adopted pursuant to chapter 297, and (C) the plans of
268 conservation and development of other municipalities in the area of
269 operation of the regional planning agency. The commission may
270 render a decision on the plan without the report of the regional
271 planning agency.

272 (5) At least thirty-five days prior to the public hearing on adoption,
273 the commission shall file in the office of the town clerk a copy of such
274 plan or part thereof or amendment thereto but, in the case of a district
275 commission, such commission shall file such information in the offices
276 of both the district clerk and the town clerk.

277 (6) The commission shall cause to be published in a newspaper
278 having a general circulation in the municipality, at least twice at
279 intervals of not less than two days, the first not more than fifteen days,
280 or less than ten days, and the last not less than two days prior to the
281 date of each such hearing, notice of the time and place of any such
282 public hearing. Such notice shall make reference to the filing of such
283 draft plan in the office of the town clerk, or both the district clerk and

284 the town clerk, as the case may be.

285 (h) (1) After completion of the public hearing, the commission may
286 revise the plan and may adopt the plan or any part thereof or
287 amendment thereto by a single resolution or may, by successive
288 resolutions, adopt parts of the plan and amendments thereto.

289 (2) Any plan, section of a plan or recommendation in the plan that is
290 not endorsed in the report of the legislative body or, in the case of a
291 municipality for which the legislative body is a town meeting or
292 representative town meeting, by the board of selectmen, of the
293 municipality may only be adopted by the commission by a vote of not
294 less than two-thirds of all the members of the commission.

295 (3) Upon adoption by the commission, any plan or part thereof or
296 amendment thereto shall become effective at a time established by the
297 commission, provided notice thereof shall be published in a
298 newspaper having a general circulation in the municipality prior to
299 such effective date.

300 (4) Not more than thirty days after adoption, any plan or part
301 thereof or amendment thereto shall be posted on the Internet web site
302 of the municipality, if any, and shall be filed in the office of the town
303 clerk, except that, if it is a district plan or amendment, it shall be filed
304 in the offices of both the district and town clerks.

305 (5) Not more than sixty days after adoption of the plan, the
306 commission shall submit a copy of the plan to the Secretary of the
307 Office of Policy and Management and shall include with such copy a
308 description of any inconsistency between the plan adopted by the
309 commission and the state plan of conservation and development and
310 the reasons therefor.

311 (i) Any owner or tenant, or authorized agent of such owner or
312 tenant, of real property or buildings thereon located in the
313 municipality may submit a proposal to the commission requesting a

314 change to the plan of conservation and development. Such proposal
315 shall be submitted in writing and on a form prescribed by the
316 commission. Notwithstanding the provisions of subsection (a) of
317 section 8-7d, the commission shall review and may approve, modify
318 and approve or reject the proposal in accordance with the provisions of
319 subsection (g) of this section.

320 Sec. 3. Subsection (d) of section 8-206 of the general statutes is
321 repealed and the following is substituted in lieu thereof (*Effective*
322 *October 1, 2010*):

323 (d) The Commissioner of Economic and Community Development
324 is authorized to do all things necessary to apply for, qualify for and
325 accept any federal funds made available or allotted under any federal
326 act for any activities which may be pertinent to the purposes of this
327 chapter and chapters 128, 129, 130, 135 and 136 and said commissioner
328 shall administer any such funds allotted to the department in
329 accordance with federal law. The commissioner may enter into
330 contracts with the federal government concerning the use and
331 repayment of such funds under any such federal act, the prosecution
332 of the work under any such contract and the establishment of and
333 disbursement from a separate account in which federal and state funds
334 estimated to be required for plan preparation or other eligible activities
335 under such federal act shall be kept. Said account shall not be a part of
336 the General Fund of the state or any subdivision of the state. Unless
337 otherwise required by federal law or regulation, any federal housing
338 assistance funding made available at the state level shall be allocated in
339 accordance with the [housing plan prepared pursuant to the
340 provisions of section 8-37t] state's consolidated plan for housing and
341 community development, prepared pursuant to 24 CFR Part 91, as
342 amended from time to time. Such allocation shall, to the maximum
343 extent possible, reflect the types and distribution of housing needs in
344 all parts of the state and the resources required by the department, the
345 Connecticut Housing Finance Authority or other appropriate agencies
346 to meet those needs.

347 Sec. 4. Subsection (c) of section 22a-1b of the general statutes is
348 repealed and the following is substituted in lieu thereof (*Effective*
349 *October 1, 2010*):

350 (c) Each state department, institution or agency responsible for the
351 primary recommendation or initiation of actions which may
352 significantly affect the environment shall in the case of each such
353 proposed action make a detailed written evaluation of its
354 environmental impact before deciding whether to undertake or
355 approve such action. All such environmental impact evaluations shall
356 be detailed statements setting forth the following: (1) A description of
357 the proposed action which shall include, but not be limited to, a
358 description of the purpose and need of the proposed action, and, in the
359 case of a proposed facility, a description of the infrastructure needs of
360 such facility, including, but not limited to, parking, water supply,
361 wastewater treatment and the square footage of the facility; (2) the
362 environmental consequences of the proposed action, including
363 cumulative, direct and indirect effects which might result during and
364 subsequent to the proposed action; (3) any adverse environmental
365 effects which cannot be avoided and irreversible and irretrievable
366 commitments of resources should the proposal be implemented; (4)
367 alternatives to the proposed action, including the alternative of not
368 proceeding with the proposed action and, in the case of a proposed
369 facility, a list of all the sites controlled by or reasonably available to the
370 sponsoring agency that would meet the stated purpose of such facility;
371 (5) an evaluation of the proposed action's consistency and each
372 alternative's consistency with the state plan of conservation and
373 development, an evaluation of each alternative including, to the extent
374 practicable, whether it avoids, minimizes or mitigates environmental
375 impacts, and, where appropriate, a description of detailed mitigation
376 measures proposed to minimize environmental impacts, including, but
377 not limited to, where appropriate, a site plan; (6) an analysis of the
378 short term and long term economic, social and environmental costs
379 and benefits of the proposed action; (7) the effect of the proposed
380 action on the use and conservation of energy resources; and (8) a

381 description of the effects of the proposed action on sacred sites or
382 archaeological sites of state or national importance. In the case of an
383 action which affects existing housing, the evaluation shall also contain
384 a detailed statement analyzing (A) housing consequences of the
385 proposed action, including direct and indirect effects which might
386 result during and subsequent to the proposed action by income group
387 as defined in section 8-37aa and by race, and (B) the consistency of the
388 housing consequences with the [long-range state housing plan adopted
389 under section 8-37t] state's consolidated plan for housing and
390 community development, prepared pursuant to 24 CFR Part 91, as
391 amended from time to time. As used in this section, "sacred sites" and
392 "archaeological sites" shall have the same meaning as in section 10-381.

393 Sec. 5. Section 25-231 of the general statutes is repealed and the
394 following is substituted in lieu thereof (*Effective October 1, 2010*):

395 As used in sections 25-230 to 25-238, inclusive:

396 (1) "Approved river corridor management plan" means a river
397 corridor management plan approved by the commissioner pursuant to
398 section 25-235;

399 (2) "Commissioner" means the Commissioner of Environmental
400 Protection or his agent;

401 (3) "Local drainage basin" means a local drainage basin as
402 referenced on a map entitled "Natural Drainage Basins of Connecticut",
403 published by the Department of Environmental Protection, 1981;

404 (4) "Major state plan" means any of the following: The master
405 transportation plan adopted pursuant to section 13b-15, the plan for
406 development of outdoor recreation adopted pursuant to section 22a-21,
407 the solid waste management plan adopted pursuant to section 22a-211,
408 the state-wide plan for the management of water resources adopted
409 pursuant to section 22a-352, the state-wide environmental plan
410 adopted pursuant to section 22a-8, the historic preservation plan

411 adopted under the National Historic Preservation Act, 16 USC 470 et
412 seq., the state-wide facility and capital plan adopted pursuant to
413 section 4b-23, [the long-range state housing plan adopted pursuant to
414 section 8-37t] the state's consolidated plan for housing and community
415 development, prepared pursuant to 24 CFR Part 91, as amended from
416 time to time, the water quality management plan adopted under the
417 federal Clean Water Act, 33 USC 1251 et seq., any plans for managing
418 forest resources adopted pursuant to section 23-20 and the Connecticut
419 River Atlantic Salmon Compact adopted pursuant to section 26-302;

420 (5) "Member municipality" means a municipality which is a member
421 of a river commission established pursuant to section 25-232;

422 (6) "Person" means person, as defined in section 22a-2;

423 (7) "River advisory board" means any of the following: The Five
424 Mile River Commission established pursuant to section 15-26a, the
425 Connecticut River Gateway Commission established pursuant to
426 section 25-102e, the Connecticut River Assembly established pursuant
427 to section 25-102dd, the Bi-State Pawcatuck River Commission
428 established pursuant to section 25-161, the Niantic River Gateway
429 Commission established pursuant to section 25-109e, the Housatonic
430 Estuary Commission established pursuant to section 25-170, the
431 Farmington River Coordinating Committee established pursuant to the
432 National Wild and Scenic Rivers Act, 16 USC 1274 et seq., the Shepaug-
433 Bantam River Board established pursuant to sections 25-102pp and 25-
434 102qq or a river committee established pursuant to section 25-203;

435 (8) "River corridor" means any river, river segment or river system,
436 together with its floodplains, wetlands and uplands, contributing
437 overland runoff to such river, river segment or river system;

438 (9) "River commission" means a river commission established
439 pursuant to section 25-232;

440 (10) "River system" means a river, its tributaries and any lands

441 draining into such river or its tributaries;

442 (11) "Secretary" means the Secretary of the Office of Policy and
443 Management or his agent;

444 (12) "State rivers assessment database" means the state-wide
445 assessment of the state's rivers prepared by the commissioner pursuant
446 to subdivision (3) of subsection (d) of section 25-102qq;

447 (13) "State plan for conservation and development" means the state
448 plan for conservation and development prepared pursuant to part I of
449 chapter 297;

450 (14) "Subregional drainage basin" means a subregional drainage
451 basin as referenced on a map entitled "Natural Drainage Basins of
452 Connecticut", published by the Department of Environmental
453 Protection, 1981;

454 (15) "Water-dependent use" means a use which, by its nature or
455 function, requires direct access to, or location in or immediately
456 adjacent to, water and which therefore cannot be located upland, and
457 includes such recreational uses as riverside trails and bicycle paths;

458 (16) "Use" means agriculture, public and private water supply,
459 power generation, waste assimilation, transportation, recreation,
460 including, but not limited to, boating, swimming, fishing, camping and
461 hiking and residential, commercial, industrial and other water-
462 dependent uses; and

463 (17) "Resource" means any riparian waters of the state, related
464 fisheries and wildlife habitat and adjacent shorelands, both developed
465 and undeveloped; any vegetation, fish and wildlife; endangered and
466 threatened species, species of special concern and essential habitat
467 identified by the commissioner pursuant to chapter 495; tidal and
468 inland wetlands; unique geologic features; scenic areas; forest lands, as
469 defined in section 23-65f; agricultural lands, as defined in section 22-
470 26bb; and archaeological and other historical resources.

471 Sec. 6. Section 32-1o of the 2010 supplement to the general statutes is
472 repealed and the following is substituted in lieu thereof (*Effective*
473 *October 1, 2010*):

474 (a) On or before July 1, 2009, and every five years thereafter, the
475 Commissioner of Economic and Community Development, within
476 available appropriations, shall prepare an economic strategic plan for
477 the state in consultation with the Secretary of the Office of Policy and
478 Management, the Commissioners of Environmental Protection and
479 Transportation, the Labor Commissioner, the executive directors of the
480 Connecticut Housing Finance Authority, the Connecticut Development
481 Authority, the Connecticut Innovations, Inc., the Commission on
482 Culture and Tourism and the Connecticut Health and Educational
483 Facilities Authority, and the president of the Office of Workforce
484 Competitiveness, or their respective designees, and any other agencies
485 the Commissioner of Economic and Community Development deems
486 appropriate.

487 (b) In developing the plan, the Commissioner of Economic and
488 Community Development shall:

489 (1) Ensure that the plan is consistent with (A) the text and locational
490 guide map of the state plan of conservation and development, adopted
491 pursuant to chapter 297, (B) the [long-range state housing plan,
492 adopted pursuant to section 8-37t] state's consolidated plan for
493 housing and community development, prepared pursuant to 24 CFR
494 Part 91, as amended from time to time, and (C) the transportation
495 strategy adopted pursuant to section 13b-57g;

496 (2) Consult regional councils of governments, regional planning
497 organizations, regional economic development agencies, interested
498 state and local officials, entities involved in economic and community
499 development, stakeholders and business, economic, labor, community
500 and housing organizations;

501 (3) Consider (A) regional economic, community and housing

502 development plans, and (B) applicable state and local workforce
503 investment strategies;

504 (4) Assess and evaluate the economic development challenges and
505 opportunities of the state and against the economic development
506 competitiveness of other states and regions; and

507 (5) Host regional forums to provide for public involvement in the
508 planning process.

509 (c) The strategic plan required under this section shall include, but
510 not be limited to, the following:

511 (1) A review and evaluation of the economy of the state. Such
512 review and evaluation shall include, but not be limited to, a sectoral
513 analysis, housing market and housing affordability analysis, labor
514 market and labor quality analysis, demographic analysis and include
515 historic trend analysis and projections;

516 (2) A review and analysis of factors, issues and forces that impact or
517 impede economic development and responsible growth in Connecticut
518 and its constituent regions. Such factors, issues or forces shall include,
519 but not be limited to, transportation, including, but not limited to,
520 commuter transit, rail and barge freight, technology transfer,
521 brownfield remediation and development, health care delivery and
522 costs, early education, primary education, secondary and
523 postsecondary education systems and student performance, business
524 regulation, labor force quality and sustainability, social services costs
525 and delivery systems, affordable and workforce housing cost and
526 availability, land use policy, emergency preparedness, taxation,
527 availability of capital and energy costs and supply;

528 (3) Identification and analysis of economic clusters that are growing
529 or declining within the state;

530 (4) An analysis of targeted industry sectors in the state that (A)
531 identifies those industry sectors that are of current or future

532 importance to the growth of the state's economy and to its global
533 competitive position, (B) identifies what those industry sectors need
534 for continued growth, and (C) identifies, those industry sectors current
535 and potential impediments to growth;

536 (5) A review and evaluation of the economic development structure
537 in the state, including, but not limited to, (A) a review and analysis of
538 the past and current economic, community and housing development
539 structures, budgets and policies, efforts and responsibilities of its
540 constituent parts in Connecticut; and (B) an analysis of the
541 performance of the current economic, community and housing
542 development structure, and its individual constituent parts, in meeting
543 its statutory obligations, responsibilities and mandates and their
544 impact on economic development and responsible growth in
545 Connecticut;

546 (6) Establishment and articulation of a vision for Connecticut that
547 identifies where the state should be in five, ten, fifteen and twenty
548 years;

549 (7) Establishment of clear and measurable goals and objectives for
550 the state and regions, to meet the short and long-term goals established
551 under this section and provide clear steps and strategies to achieve
552 said goals and objectives, including, but not limited to, the following:
553 (A) The promotion of economic development and opportunity, (B) the
554 fostering of effective transportation access and choice including the use
555 of airports and ports for economic development, (C) enhancement and
556 protection of the environment, (D) maximization of the effective
557 development and use of the workforce consistent with applicable state
558 or local workforce investment strategy, (E) promotion of the use of
559 technology in economic development, including access to high-speed
560 telecommunications, and (F) the balance of resources through sound
561 management of physical development;

562 (8) Prioritization of goals and objectives established under this
563 section;

564 (9) Establishment of relevant measures that clearly identify and
565 quantify (A) whether a goal and objective is being met at the state,
566 regional, local and private sector level, and (B) cause and effect
567 relationships, and provides a clear and replicable measurement
568 methodology;

569 (10) Recommendations on how the state can best achieve goals
570 under the strategic plan and provide cost estimates for implementation
571 of the plan and the projected return on investment for those areas;

572 (11) A review and evaluation of the operation and efficacy of the
573 urban jobs program established pursuant to sections 32-9i to 32-9l,
574 inclusive, enterprise zones established pursuant to section 32-70,
575 railroad depot zones established pursuant to section 32-75a, qualified
576 manufacturing plants designated pursuant to section 32-75c,
577 entertainment districts established pursuant to section 32-76 and
578 enterprise corridor zones established pursuant to section 32-80. The
579 review and evaluation of enterprise zones shall include an analysis of
580 enterprise zones that have been expanded to include an area in a
581 contiguous municipality or in which there are base or plant closures;
582 and

583 (12) Any other responsible growth information that the
584 commissioner deems appropriate.

585 (d) On or before July 1, 2009, and every five years thereafter, the
586 Commissioner of Economic and Community Development shall
587 submit an economic development strategic plan for the state to the
588 Governor for approval. The Governor shall review and approve or
589 disapprove such plan not more than sixty days after submission. The
590 plan shall be effective upon approval by the Governor or sixty days
591 after the date of submission.

592 (e) Upon approval, the commissioner shall submit the economic
593 development strategic plan to the joint standing committees of the
594 General Assembly having cognizance of matters relating to commerce,

595 planning and development, appropriations and the budgets of state
596 agencies and finance, revenue and bonding. Not later than thirty days
597 after such submission, the commissioner shall post the plan on the web
598 site of the Department of Economic and Community Development.

599 (f) The commissioner from time to time, may revise and update the
600 strategic plan upon approval of the Governor. The commissioner shall
601 post any such revisions on the web site of the Department of Economic
602 and Community Development.

603 Sec. 7. Section 8-37u of the general statutes is repealed and the
604 following is substituted in lieu thereof (*Effective October 1, 2010*):

605 (a) The Commissioner of Economic and Community Development
606 shall work with regional planning agencies, regional councils of
607 elected officials, regional councils of governments, municipalities and
608 municipal agencies, housing authorities and other appropriate
609 agencies for the purpose of coordinating housing policy and housing
610 activities, provided such coordination shall not be construed to restrict
611 or diminish any power, right or authority granted to any municipality,
612 agency, instrumentality, commission or any administrative or
613 executive head thereof in accordance with the other provisions of the
614 general statutes to proceed with any programs, projects or activities.

615 (b) The Commissioner of Economic and Community Development
616 shall coordinate on an ongoing basis the activities and programs of
617 state agencies or quasi-state authorities which have a major impact on
618 the cost, production or availability of housing, provided, such
619 coordination shall not be construed to restrict or diminish any power,
620 right or authority granted to any such agency or authority, or of any
621 administrative or executive head thereof in accordance with the other
622 provisions of the general statutes, to proceed with any programs,
623 projects or activities, except as specifically provided in this section.

624 (c) In order to facilitate such coordination, the Connecticut Housing
625 Finance Authority shall submit annually to the Commissioner of

626 Economic and Community Development a projected twelve-month
627 operating plan. Said plan shall be prepared in a manner so as to be
628 consistent with the [five-year plan referred to in section 8-37t] state's
629 consolidated plan for housing and community development, prepared
630 pursuant to 24 CFR Part 91, as amended from time to time, as such
631 plan is then in effect. Said plan shall include such matters as the
632 authority determines are necessary and shall include, but not be
633 limited to, production targets under each multifamily program of the
634 authority, including targets for rental housing production for both
635 elderly and nonelderly families in a proportion consistent with
636 housing needs estimated pursuant to [section 8-37t] the state's
637 consolidated plan for housing and community development; proposed
638 new and expanded programs; proposed outreach activities to help
639 serve areas of the state or segments of the population whose housing
640 needs have been particularly underserved, and estimated level of
641 subsidy needed to support the proposed level of production. The first
642 such plan shall be submitted to the Commissioner of Economic and
643 Community Development prior to January 1, 1981, and subsequent
644 plans on each twelve-month anniversary thereof.

645 (d) In the event the commissioner determines that the Connecticut
646 Housing Finance Authority has not complied with the requirements of
647 subsection (c) of this section, he shall file a report with the Secretary of
648 the Office of Policy and Management setting forth the items of the plan
649 which are inconsistent with the five-year plan and setting forth those
650 recommendations which in his opinion would result in such plan
651 being consistent with the five-year plan. In the event that the Secretary
652 of the Office of Policy and Management concurs with the
653 Commissioner of Economic and Community Development, he shall
654 convene a panel of the Commissioner of Economic and Community
655 Development, the chairman of the Connecticut Housing Finance
656 Authority and the Secretary of the Office of Policy and Management,
657 which panel shall resolve the inconsistencies. Nothing contained in
658 this section shall limit the right or obligation of the Connecticut
659 Housing Finance Authority to comply with the provisions of or

660 covenants contained in any contract with or for the benefit of the
661 holders of any bonds, notes or other obligations evidencing
662 indebtedness of such authority.

663 (e) The Connecticut Housing Finance Authority shall, to the
664 maximum extent practical, conduct its business according to the plan
665 approved by the commissioner.

666 (f) The Commissioner of Economic and Community Development
667 shall consult with the Commissioner of Agriculture with regard to the
668 policies, activities, plans and programs specified in this section and the
669 impact on and degree of protection provided to agricultural land by
670 such policies, activities, plans and programs.

671 Sec. 8. Section 8-37t of the general statutes is repealed. (*Effective*
672 *October 1, 2010*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	8-2(a)
Sec. 2	<i>October 1, 2010</i>	8-23
Sec. 3	<i>October 1, 2010</i>	8-206(d)
Sec. 4	<i>October 1, 2010</i>	22a-1b(c)
Sec. 5	<i>October 1, 2010</i>	25-231
Sec. 6	<i>October 1, 2010</i>	32-1o
Sec. 7	<i>October 1, 2010</i>	8-37u
Sec. 8	<i>October 1, 2010</i>	Repealer section

Statement of Purpose:

To repeal section 8-37t of the general statutes and to replace all references to the long-range state housing plan with references to the state's consolidated plan for housing and community development.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]